

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Siegal et al.

Application No.: To Be Assigned (CON of Group Art Unit: 1632
U.S. Application Serial No. 09/591,223)

Filed: Herewith Examiner: Ton, T.N.

For: TYPE I INTERFERON- Attorney Docket No.: 10034-004
PRODUCING CELLS AND USES
THEREOF

PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with Rule 115 of the Rules of Practice, and in connection with the above-identified application, please enter the following amendments and consider the remarks below. Applicants submit concurrently herewith: (1) Exhibit A, a marked up version of the paragraph in the specification amended herein; (2) a Utility Patent Application Transmittal Cover Sheet; (3) a Continuation Application Transmittal Letter (in duplicate), accompanied by the appropriate provision authorizing payment of the required fee; and (4) a copy of the application.

It is estimated that no additional fee is required for filing this Amendment. In the event an additional fee is required, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

IN THE SPECIFICATION:

Please amend the specification as follows:

On page 1, please replace the paragraph beginning at line 3 with the following paragraph:

This is a continuation of U.S. patent application Serial No. 09/591,223, filed June 9, 2000, which claims priority under 35 U.S.C. § 119(e) to U.S. provisional patent application Serial No. 60/138,619, filed June 11, 1999, each of which is incorporated herein by reference in its entirety.

REMARKS

The specification has been amended to correct the claim to priority recited in the specification as originally filed. Specifically, the specification has been amended to indicate that the instant application is a continuation of U.S. application Serial No. 09/591,223, filed June 9, 2000. A marked up version of the paragraph in the specification which has been amended, with deletions and additions indicated by brackets and underlining, respectively, is attached hereto in Exhibit A. No new matter has been introduced by the above-made amendments.

Applicants respectfully request entry of the above-made amendments and remarks into the file history of the above-identified application.

Respectfully submitted,

Date February 4, 2002

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Enclosures

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EXHIBIT A

**A MARKED VERSION OF PARAGRAPH IN THE SPECIFICATION
AMENDED ON FEBRUARY 4, 2002
IN U.S. APPLICATION SERIAL NO. TBA
(Continuation Of U.S. Application Serial No. 09/591,223, Filed June 9, 2000)
(ATTORNEY DOCKET NO. 10034-004)**

On page 1, please amend the paragraph beginning at line 3 as follows:

This is a continuation of U.S. patent application Serial No. 09/591,223, filed June 9, 2000, which [The present invention] claims priority under 35 U.S.C. § 119(e) to U.S. provisional patent application Serial No. 60/138,619, filed June 11, 1999, each of which is incorporated herein by reference in its entirety.

Amended Exhibit A